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BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

UTAH INSURANCE DEPARTMENT, Complainant, v. UNITED AUTOMOBILE INSURANCE CO. 1313 NW 167 TH STREET MIAMI GARDENS, FLORIDA 33169-5739 Cert. of Authority #35319 Respondent.	STIPULATION AND ORDER Docket No. 2017-037 Enf. Case No. 3882 Lisa Watts Baskin, J.D. Administrative Law Judge
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STIPULATION

The Utah Insurance Department ("Department"), by and through its legal counsel, and United Automobile Insurance company ("Respondent"), hereby stipulate and agree as follows:

1. Respondent is currently a Property and Casualty insurance company holding Certificate of Authority Number 35319.
2. The Department has jurisdiction over the parties and subject matter of this administrative action.

3. Respondent acknowledges notice of agency action pursuant to Utah Code § 63G-4-201 and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. This signed Stipulation and Order, along with the Findings of Fact and Conclusions of Law below, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

5. Respondent neither admits nor denies the Findings of Fact and Conclusions of Law below; however, Respondent does accept the Order.

6. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

7. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

8. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

9. The person signing this Stipulation on behalf of the named parties hereby affirms that they are authorized to sign and bind the parties.

DATED this 29 day of June, 2017.



PAUL E. SUSZ, Attorney-at-Law
United Automobile Insurance Company

3. Respondent acknowledges notice of agency action pursuant to Utah Code § 63G-4-201 and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. This signed Stipulation and Order, along with the Findings of Fact and Conclusions of Law below, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

5. Respondent neither admits nor denies the Findings of Fact and Conclusions of Law below; however, Respondent does accept the Order.

6. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

7. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.


8. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

9. The person signing this Stipulation on behalf of the named parties hereby affirms that they are authorized to sign and bind the parties.

DATED this ____ day of _____, 2017.

PAUL E. SUSZ, Attorney-at- Law
United Automobile Insurance Company

DATED this 30th day of June, 2017.


GARY D. JOSEPHSON
Assistant Attorney General
Utah Insurance Department

Based upon the foregoing Stipulation and Department file, the Administrative Law Judge makes the following findings of facts:

FINDINGS OF FACT

1. On May 3, 2016, under Claim No. 1200007726, an accident occurred between Respondent's policy holder and a third party. Respondent's insured was responsible for the accident. Three months passed before Respondent paid the third-party claim.
2. On August 3, 2016, under Claim No. 1200008194, an accident occurred wherein Respondent's policy holder was at fault. Respondent received a report of the accident and three months passed before Respondent processed and paid the third-party claim.
3. On April 5, 2016, under Claim No. 1200007560, Respondent's insured was involved in an accident in which the insured was responsible. Over ten months passed before Respondent made payment to the third party.

Based upon the foregoing Stipulation and Findings of Fact, the Administrative Law Judge enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. Respondent United Automobile Insurance Company violated Utah Code § 31A-26-303, unfair claim settlement practices, and Utah Admin. Rules R590-190-10(3) minimum standards for prompt, fair and equitable settlements, when Respondent failed to settle the three above referenced third-party insurance claims within 30 days of receiving written proof of loss.

Based upon the foregoing Stipulation and Findings of Fact and Conclusions of Law, the Administrative Law Judge enters the following Order:

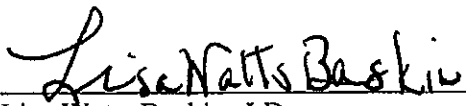
ORDER

IT IS HEREBY ORDERED:

Respondent UNITED AUTOMOBILE INSURANCE CO is hereby assessed an administrative forfeiture in the amount of \$30,000.00, which is to be paid to the Department within thirty (30) days of the signing of this Order.

DATED this 30th day of June, 2017.

TODD E. KISER
Insurance Commissioner



Lisa Watts Baskin, J.D.
Administrative Law Judge
Utah Insurance Department

NOTIFICATION TO RESPONDENT

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to \$10,000 per day for continued violation. You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

CERTIFICATE OF MAILING

I do hereby certify that on this date I regularly mailed and electronically transmitted a true and correct copy of the attached STIPULATION AND ORDER to the following:

**UNITED AUTOMOBILE INSURANCE CO.
1313 NW 167TH STREET
MIAMI GARDENS FLORIDA 33169-5739
ATT: PAUL E. SUSZ**

Email: psusz@uaig.net

June 30th 2017
Date

Jane
Jeanne Mitchell
Utah Insurance Department
State Office Building, Room 311
Salt Lake City UT 84114
Telephone (801) 538-3800



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Insurance Department

TODD E. KISER
Insurance Commissioner

UTAH Invoice - Original

PAUL SUSZ
UNITED AUTOMOBILE INSURANCE COMPANY
1313 NW 167TH STREET
MIAMI GARDENS FL 33169-5739

Printed Date: June 30, 2017
Invoice Date: June 30, 2017
Balance Due: \$30,000.00
Due Date: July 31, 2017
Invoice ID: 954505
Payor ID: 11386

Date	Item Description	Amount	
06-30-2017	Monetary Penalty Agency	\$30,000.00	DKT# 2017-037PC E-CASE# 3882

No Adjustments

No Payments

Balance Amount Due \$30,000.00

UTAH Invoice - Original

Make check payable to: Utah Insurance Department
Send payment to:

Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901

Invoice Date: June 30, 2017
Balance Due: \$30,000.00
Due Date: July 31, 2017
Invoice ID: 954505
Payor ID: 11386

Or (PREFERRED METHOD) pay online at:
<https://secure.utah.gov/ips/uidrenewal>

Detach and Return this Voucher with Payment
Payments Will Not Be Processed without Voucher